गृह मंत्री के रूप में इस सरकार के माध्यम से जो सदन के सामने रखे है, उन विचारों की मै कद्र करती हूं और आपका स्वागत करती हूं । आपने इस बारे में, इस बिल के बारे में, विशेषकर महिलाओं के साथ बलात्कार के बारे में मृत्युदंड के बारे में अपनेजो विचार रखे, उसके तहत आपेन जो आश्वासन दिया, उस आश्वासन को मद्देनजर रखते हुए मैने जो अपना बिल सदन के सामने प्रस्तुत किया, उस बिल को मैं वापिस ले रही हूं ।

The Bill, by leave, withdrawn

THE HINDU MARRIAGE (AMENDMENT) BILL, 1996

SHRI R. MARGABANDU (Tamil Nadu): Sir, I beg to move:

> "That the Bill further to amend the Hindu Marriage Act, 1955 be taken into consideration."

[THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE) in the Chair]

Madam, prior to 1949, a man could have any number of wives and he could beget any number of children. All the wives were recognised under the then law, all the children were recognised under the then law and they were entitled to all the rights of inheritance. For the first time in 1949, the Bigamy Prevention Act was enacted, putting a restriction that a man could not marry more than once. If he married for the second time, then the second wife was not recognised as a legally-wedded wife and the children begotten through the second wife were illegitimate children not entitled to the property rights of that man. Then, in the year 1955, The Hindu Code, which was uncodified till then, came to be codified and the Hindu Marriage Act of 1959 was enacted. It is only from then that certain conditions were imposed—for valid marriage, and how the marriage should be celebrated, the restitution of conjugal rights in case of separation, judicial separation and finally divorce. And in case wife seeks maintenance, then, she can go to court. So, these are. the provisions under the Act. Under section 5 of the Hindu Marriage Act, there are certain conditions under which a marriage can be held valid. Even under that, there are certain disabilities and my friend, Dr. Y. Lakshmi Prasad has given a separate notice for amendment to that. That amendment seeks to delete the clause of epilepsy being a ground for invalidating a marriage. So, many amendments have been suggsted in that Act. Section 7 of the Hindu Marriage Act Contemplate the ceremonies to be followed to set the marrage valid. Section 7 regarding ceremonies for the Hindu marriage states, "A Hindu marrige may be solemnised in accordance with the customary rites and ceremonies of either party thereto." Then, section 7(2) says, "Where such rites and ceremonies include *saptapadi,* i.e., taking of seven steps by the bridegroom and the bride jointly before the sacred fire, the marriage becomes complete and binding when the *saptapadi* step is taken." So, unless saptapadi is proved, that marriage is not complete.

E.V. Ramaswamy Periyar started a renaissance movement in Tamil Nadu. He said that for a marrige we should not depend upon a *purohit* who chants Sanskrit mantras which are not understood either by the bridegroom or the bride or any relative who attends the marriage. They don't understand the meaning of Sanskrit mantras. So, he started a separate movement whereby he brought a fresh concept of solemnising a marrige. If a man and woman are willing to marry each other, then that itself can be considered a velid marriage. This was going on. Almost in all parts of Tamil Nadu, such marriage ceremonies were being conducted. But, such marriages were challenged in a court of law. When it went to the court of law, all such marriage were struck down stating that those marriages were not valid. Being a lawyer, I conducted a maintenance case. A Minister presided over a marriage. The marriage was celebrated. There was tying of *Thali* also. But, the only thing was, *saptapadi* was not gone through. So, the marriage was held as not a valid marriage. In the result what was the fate of that lady who was living with that man and begot children? When that man wants to have another lady, he simply says that there was no marriage. What is the fact of that lady? What is the fate of those children? That lady doesn't get any maintenance, and she has no protectioniat all. The children through that lady are treated as

illegitimate children and they don't have any right in the property of their father. This position was there till the time PeraringerAnna became the Chief Minister of Tamil Nadu. When Peraringer Anna become the Chief Minister of Tamil Nadu, he brought in a legislation which has been included in the Hindu Marriage Act as section 7(A). By Madras Act of 21 of 1967 this amendment was brought in. Section 7A refers to special provisions regarding Suya Mariyadai and Seerthirutha. This section was applied to any marriage between two Hindus whether called Suya Mariyadai or Seerthirutha or by any other name solemnised in the presence of relatives, friends or other persons: (a) By each party declaring in any marriage, understood by the parties that each takes the other to be his wife or as the case may be, her husband; (b) by each party to a marriage garlanding the other or putting a ring upon any finger of the other; (c) By tying a *Thali.*

So, Section 7A was enacted in the year 1967 and thereafter all marriages which were conducted in the Suya Mariyadai, those who have not gone through the form of *Homam* and tying *Thali* and taking seven steps, those marriages were also held to be valied. Even thereafter if the husband goes to court, in most cases, or when the lady goes to court with a petition for maintenance, it is for the lawyer and for the husband to plead that there was no marriage. The burden is upon the other person, the lady to prove the marriage and for proving the marriage, there is no documentary evidence. It is only the oral evidence, if three or four witnesses are examined in the court and if there is a contradication in the various of the witnesses, then the court takes a view that there is a contradiction in the evidence and hence there is doubt about the happening of the marriage and hence it was no marriage. Such was the position. Many marriages were defeated. Only ladies were put to lot of harm and hardship driven to very disastrous situations. It is only in this way there could be some protection.

So far as Muslims are concerned, they maintain a record. So far as Christians are concerned, they also maintain a record. When the matrimonial matter comes up before the court, they simply produce this document and that become *the prima facie* evidence. Nobody can dispute it. So, that marriage is protected. It is so under the Muslim law and the Christian law but it is not the position in the Hindus. There is no documentary proof. Merely depending upon oral evidence leads to injustice. I brought this Private Member's Bill to substitute Section 8 which is already in existence. I read only 8 (1) and 8 (2). 8(1) says: For the purpose of facilitating the proof of Hindu marriage, the State Government may make rules providing that the parties to any suqh marriage may have the particulars relating to their marriage entered in such mannar and subject to such conditions as may be prescribed by the Hindu marriage register kept for that purpose. 8(2) says: Notwithstanding anything contained in sub-section 9(1), the State Government may, if it is of the opinion that it is necessary or expedient so to do, provide that entering all the particulars referred to in subsection (1) shall be compulsory in the State or in any part thereof where now that the power is given to the State Government to enact any such rules to make this registration compulsory."

To my knowledge, no State Government has enacted any law making this registration of the marriage compulsory.

4.00 P.M.

But it is obligatory on the part of the party to go and get the marriage registered. While giving reasons for introducing section 7A, in the Statement of Objects and Reasons, it has been stated that the marriage should be registerable, whether compulsory or otherwise, it is left to the discretion of the State Government. But this clasue ensures that the omission in the register will not render the marriage invalid. So it is a discretion where a man should register the marriage or not. So, this section, in spite of the provisions of section 8 in the Hindu Marriage Act, does not provide any relief to the party when the marriage is disputed. Several courts have given decisions in this regard. I can readout some of the decisions. Mere registration even if a marriage is registered under section 8A of the Hindu Marriage Act, cannot validate the marriage. A High Court has stated that mere registration cannot validate the marriage. Then what for

this marriage registration should be there? Before the marriage is registered, there should be a regular form of marriage. The marriage should be conducted and that marriage should be registered. The pre-condition for the registration of a marriage is that there should be a valid marriage. There should be a marriage, whether it is valid or not. It is only after that marriage, they can go before the Sub-Registrar and get their marriage registered. But mere registration under the Act cannot validate the marriage. Then the other decision is that when there is no valid marriage, the registration also is not valid. So, when there is no valid marriage, the registration also is not valid. The other decision is that the registration of a marriage does not *ipso facto* result in the validity of the marriage.

These are some of the decisions. So, even if there is a registration and even if a documentary proof is placed before the court, the burden is still on the party to prove that there is a valid marriage. If they fail to prove that it is a valid marriage by examining the witnesses, the production of the registration certificate before the court is not taken into account at all. Then, what is the purpose of this section 8? It is only obligatory; it is only to facilitate the truth and it is only a course of evidence. That is all. It is only in this way that it does not afford any protection to married life. Therefore, while introducing this Bill, my objective is that following section 8 of the Hindu Marriage Act, 1955, should be substituted. In place of the existing section 8, this amended section 8 has to be substituted. In the Statement of objects and reasons, I have stated that many marriages have been challenged in the court of law. Many marriages have often been held invalid by the courts for want of proof. It is an injustice and has far-reaching consequences. It affects and spouses and the children born as a result of such marriages. In order to avoid this injustice, registration of marriages should be made compulsory. It should also be a proof that such marriages have been celebrated lawfully. This will also place the onus of proof on the person who challenges the marriage. So, by introducing this section, registration must be made compulsory, even if the form of marriage is in compliance with section 5 of the Hindu Marriage Act. If it is registered it shall become a *prima facie* proof. Once the registration is made, for which I have moved an amendment, it shall become a document of proof before the court of law. The court should not ask for any further proof of the marriage. Further, if one goes to a court of law, the burden of proof lies on the person who challenged that it is not a vaild document. So, this is the purpose with which I have brought this amendment. Section 8(1) of the Hindu Marriage Act, 1955 says, "Any marriage solemnized under this Act whether before or after the commencement of the Hindu Marriage (Amendment) Act, 1997 which is not otherwise void..."—I do not say that even void marriages should be covered under this registration; if it is a valid marriage, confirmed under Section 5 of the Hindu Marriage Act, and if it is not void, it has to be registered—"....shall be registered under this section in the Hindu Marriage Register kept for the purpose." And Section 8(2) says, "The State Government shall make rules for providing that the parties to any such marriage shall have the particulars relating to their marriage entered in such mannar and subject to such conditions as may be prescribed in the Hindu Marriage Register." Madam, Section 8(3) is very very important. It says, "The registration of marriage under this section shall be *prima facie* proof of the marriage and all children born of such marrige shall be legitimate children of their parents." So, once a valid marriage has been held and the marriage is registered, it should be made as *aprimafacie* proof before a court of law. The children bom to parents out of such marriage are legitimate. children. So, my endeavour in bringing this legislation is to see that there should be protection. When other religion are providing safeguards for marriage life, why cant't we? I have already quoted an example. Under the Muslim Law, they maintain the record. Similarly, under the Christian Law, they maintain the record. They produce that record before a court and the court will accept that as a valid document. When that facility is denied to the Hindus, when here is no documentary proof of a marriage, everybody takes it as granted. And when any man wants to go in for a second marriage, he can simply say that no marriage has taken place at all. He can persuade

the witnesses who are coming to court to say that they did not see the marriage at all. Or, he can make the witnesses to give a contradictory evidence so that he can nullify that marriage. To put an end to these uncertainty there should be some protection to women. There should be protection to the Children.

SHRI SANGH PRIYA GAUTAM: Let it be supported by all the Members.

SHRI R. MARGABANDU: Yes. Let it be supported by all the Members, cutting across party lines. Then under Section 16(a) of the Hindu Succession Act, as amended, even if the children...

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Do you have any doubt?

SHRI SANGH PRIYA GAUTAM: No, I am only saying that let it be supported by the other.

THE VICE-CHAIRMAN (MISS SAROJ KHAPEARDE): That is why I am asking: 'Do you have any doubt that Members from this side will not support this Bill?'

SHRI SANGH PRIYA GAUTAM: I am talking about the time-constraint Other hon. Members should also get an opportunity to express their views.

SHRI R. MARGABANDU: I am concluding. Now, under the Hindu Succession Act, a new lause has been introduced. As per that section, previously the position was, children born out of void marriages were declared as illegitimate children. They will have to go to a court of law and fight for getting it legitimised. But under the amendment, the children born out of void marriages, are considered legitimate, though the marriage is held to be invalid. The children born out of such marriages, are considered to be legitimate children and are entitled to have a share in the property of their father. So, to avoid disputes, let there be a complete protection for the women and children born to them. Let them have a right to be protected. I hope the Central Government would come forward with this legislation to provide safeguards to the Hindu society. The Hindu Marriage Act is not a codified Act Though it had been codified in 1955, it has undergone several changes. Every now and then, several changes have been brought in. There have been changes in Section 5, Section 13 and so on. So , it is not a sacrosanct Act. It has to be reconsidered, and the Bill has to be sent to the appropriate authority for consideration. I request the Ministry of Law to bring forward a complete codified Bill so that these lacuna could be filled. There should be only one Act, the Marriage Act, which will give safeguards to everybody. Now, the family courts have been constituted. When a matter goes to a family court, advocates are not allowed to plead for anybody. When a ticlish law like this, challenging a marriage is taken up in a family court, lawyers are not allowed to plead. What will happen then? A wrong statement is rendered there and the parties are not given a chance to lead a proper evidence to prove the marriage. What will happen if some judgement is rendered which results in injustice to the other party? so, I appeal, through you, Madam, that the Central Government, the Ministry of Law, should come forward to protect rights of women and children.

The question was proposed

DR. B.B. DUTTA (Nominated): Madam, I rise to support the Bill moved by hon. Member, Shri Margabandu. I believe that marriage is essentially a contract. I, for one, do not subscribe to the view that marriages are conceived in heaven and soloemenised on earth. It is a contract between two persons. Of coursse, in the light of our culture which we have developed over the centuries, marriages have got some dignity. The partners have to maintain that contract in that spirit. So, naturally, we do not want to proliferate divorce cases like the West because, then, there will be too many separations. But, in spite of that, the lacuna remains there in the Bill, which is already existing in our constitutional provision. There are social marriages which are not registered. This have given rise to a lot of problems. There are a lot of people who go for a social marriage, but they do not maintain the spirit in honouring that social contract. I think it is essential that when there are problems relating to a particular marriage, they should be solved through a process generated by the society itself, through its legal system.....at that time we find that just because it is a social marriage, certain evidences are lacking. So, another point, Madam, is that from the point

of view of who married how many times, I think once the marriage comes under compulsory registration, there will be an appropriate account. I was discusssing with the hon. Member. He was telling that without registration, this is not accounted for. There is a lower starts in the society where they do marry and they divorcee. As they are not in Government service, they are not accountable to anybody; so they marry again. So, even if it is permissible for a certain category of people to go for more than one marriage, at least, the society should know; it should look back to see what is happening to the institution of marriage. Because this is a very important institution which reflects the strength or weakness of a particular society and what is happening on that front. Upon the successful conduct of the marriage contract and how they execute it, depends the future of the children, the offsprings of a particular nuptial arrangement. The growth of the offsprings depends on how their parents conducrt themselves in their mutual behaviour as well as in their social behaviour. So, cornsidering all these things. I think the point raised in this particular Bill is quite pertinent.

I for one, support this compulsory registration that have been demanded through this amendment. Thank you.

उपसभाध्यक्ष (कुमारी सरोज खापर्डे): श्री ओंकार सिंह लखावर जी, सिंघवी साहब को जल्दी जाना है । आप पहले बोलना चाहेंगे या उन के बुलवाना चाहेंगे?

श्री ओंकार सिंह लखावर (राजस्थान): आप जैसा ठीक समझें ।

उपसभाध्यक्ष (कुमारी सरोज खापर्डे): आप दोनों डिसाइड कीजिए ।

श्री ओंका सिंह लखावत: जाना है तो आप बोल लें

DR. L.M. S1NGHVI (Rajasthan): Madam, I rise to support the underlying concept of the Bill. I would like the Law Commission to prepare a Bill which could take care of the existing anomalies and the difficulties, particulary with regard to the proof of marriage. We, in politics, are not unfamiliar — politics was just mentioned — with marriages of conveniences and marriages of inconveniences. Sometimes, the proof of such marriage is not easy to find. It is said that the proof of the pudding lies in the eating. The proof of a happy marriage lies in the happiness of the family. But it is the case of unhappy marriages and marriages which fall into difficulties, that the registration would come as a boon in reply to the legal conundrums, having the proof of marriage, having the proof of all the technicalities, rituals and the ceremonials. That is why, it is appropriate that Shri Margabandu's initiative is considered in depth and with all seriousness. He has recounted the story of the own experience as a lawyer, and there are many such stories. In the history of Hindu Law, as our distinguished former Chief Justice, Mr. Misra, would recall, there are many instances, some very celebrated instances, with regard to the proof of marriage. And I think, in a very real sense, the proof of marriage with this kind of registration would resolve many problems. But, I am worried about one aspect. We have a very large population. We have a mammoth population. We have many people, who may have undergone a marriage, so far as they know, but they have not registered those marriages. In the countryside, there are many marriages which are not registered. There are some, which are even, what is often called, common law marriage. It is, therefore, also necessary to avoid the hardship of an unregistered marriage. There are people, who, even after the law comes into force, may not seek the registration of their marriages. What would happen to them? I am remined of a story, which a very important political leader in the then Soviet Union, cited once. This story is that a men went to a Russian shop. He was asked to produce his birth certificate. The officer said: unless you produce the birth certificate, how am I to know that you were bom? So, without a registration, there would be many people, who would face the difficulty. I would, therefore, suggest that whereas the proposal for registration ought to be accepted and should be popularised and disseminated, it should still be possible for people, who have not registered their marriages or have omitted to do it or are not aware, or are not sufficiently legally literate to know the new provision, which is sought to be introduced by Shri Margabandu, their marriages should also be protected, even though such marriages may not be on the

Register. Ultimately, Madam, a marriage is a marriage. I do not understand that we should be emphasising in this respecct the variety of marriages that are available in our country— the Muslim marriage, the Hindu marriage and the Christian marriage — and yet they do exist. A civil marriage, Madam, is registrable ccompulsorily. All marriages, I thought, are civil. There is nothing uncivil about the marriage. There is nothing but civil about a marriage, but it does seem to me that a compulsory registration provision, though it would provide a strong and *prima facie* proof of a valid marriage, should still leave a scope for an unregistered marriage to be proved. Otherwise, then by a certificate of registration, there is another problem which often arises. That problem is that while one of the two parties would like to register a marriage — and very often in societies where women are disadvantaged, they may want the registration of the marriage, man may not want registration. Therefore, there should be a provision for almost a compulsory registration of a marriage in which a married man refuses to acknowledge the marriage. That is very important, because otherwise the person, who wantss to avoid or disclaim the responsibility, would be able to go scot-free.

I would like to conclude by saying that our vision as a nation should be a 'common national register' of all marriages, whether they are Hindu marriages, or Christian marriages, or Parsi marriages, or civil marriages or whatever; that ought to be the vision of India. Or it is in the this vision that the vision of secularism fulfils itself. It is in this vision that the togetherness of the people of India, whatever their creed and religions might be, should be fulfilled. Therefore, in the long run, an effort should be made — and a modest effort can be made at least with this national register, because that is not to codify any other personal law, except to provide for registration of marriages, whatever the religion, whatever the persuasion of an individual, because that is after the ritual is held. May I say that the Bill, which has been brought by Shri Margabandu deserves a very serious consideration. He deserves congratulations for having brought up this aspect of the matter, which touches our daily lives and daily lives of many people, particularly the litigants in courts. Sometimes they find it very difficult to prove *saptapadi* and things of that kind. I think it would be a very useful step to consider this in depth and adopt the underlying oncept of Shri Margabandu's proposal. Thank you, Madam.

DR. Y. LAKSHMI PRASAD (Andhra Pradesh): Madam Vice-Chairperson, as far as the Hindu Marriage (Amendment) Bill, 1998, moved by Shri R. Margabandu is coencerned, I would like to mention two points. Marriages are not only a union between two persons, but they also serve as a social contrat between two families. It is very diffiult to find a good match and a Hindu marriage is solemnised in accordance with the customary rites and ceremonies. So, we request that proper steps should be taken to ensure that arranged marriage couple should lead a happy married life till death does them apart. We must find ways to ensure that the couple stay together in accordance with the ancient traditions and customs.

The Hindu Marriage Act, 1955 is 43 years old. It contains provisions to nullify a marriage and divorce on some grounds which sound flimsy. We are approaching the twenty-first century. Madam, we make registration for births and deaths compulsory. At the same time, for vaccination also we made registration compulsory. So, it is not very difficult to get a marriage registered.

Madam, I had also introduced an important Bill regarding epilepsy. I request the hon. Minister and the Government to bring forth a comprehensive Bill containing all the suggestions that were made by Members of this august House. Thank you. Madam.

श्री ओंकार सिंह लखावत: महोदय, श्री मार्गबंधु जी जो बिल यहां लेकर आएं है, मै उसका स्वागत करता हूं । मेरा ऐस मानता है कि ये जो बिल लेकर आए है, इसे ये कोई यकारक चिंतन या सोच-विचार के बाद नहीं लाए है, बल्कि विभिन्न उच्च न्यायालयी, उच्चतम न्यायालय और विभिन्न न्यायालयों ने जो निर्णय दिया, उस निर्णय के बाद एक ऐसी दुविधा खडी हो गई है जिसके अंदर सामान्यतः पति-पत्नी की तरह रहने वाले लोगों की यह प्रमाणित करने में बड़ा कष्ट हुआ कि वह कारण से यह आवश्यक हो गया कि किसी न किसी तरह लिखित रूप से वह

प्रमाणित हो जाए कि वे पति-पत्नी है । इस आवश्यकता को अनुभव करते हुए धारा 8 में यह अमेंडमेंट मार्गबंधु जी लाए है, और मैं इसके स्वागत करता हूं।

महोदय, मैं यहां एक निवेदह यह करना चाहता हूं कि शादी हमारे यहां अनेक प्रकार से होती है—कहीं सप्तपदी से होगी, कहीं किसी और पद्धति से होगी, कही मुस्लिम लो के अनुसार होगी, कहीं क्रिश्चियन लॉ के अनुसार होगी—इसलिए विवाह किस प्रकार होगा, इस पर कोई प्रतिबंध धारा 8 से नहीं लगने वाला है । शादी तो शादी के तरीके से होगी । मै इससे भी सहमत नहीं हूं कि विवाह एक कांटेक्ट है। यह कांटेक्ट नहीं है, पवित्र संस्कार है। यह हमारा एक सामाजिक बंधन है और यह कोई संविदा नहीं है कि जिसको हम जब चाहे किसी तरीके से तोड़ दें, जब चाहे जोड़ लें, चाहे कितनी बार कर लें। इसलिए मेरा निवेदन यह है कि विवाह को एक संविदा समझकर अब तक पिछले 50 सालों में देश में दुर्गति होती रही है और इसलिए जो परिवार एक यूनिट बनना चाहिए, समाज का एक महत्वपूर्ण अंग बनना चाहिए, वह धीरे-धीरे विघटित होता नज़र आता है, क्योंकि हम लोग अपनी सुविधा के अनुसार उसे संविद समझकर उसे तोड़ते, मरोड़ते और अपनी इच्छानुसार उस ऐक्ट के विभिन्न प्रावधानो का उपयोग करते आए है।

महोदय, अब तक परेशानी यह आती रही है कि शादी को प्रमाणित करने में मुश्किल रही है क्योंकि सामान्यतः महिला पहले कोर्ट में जाती है सी.आर.पी.सी. की धारा 125 के अंतर्गत निर्वाह भत्ते के लिए इसके लिए सबसे पहले उसे यह प्रमाणित करना पड़ेगा कि वह पत्नी है । यदि पति ने आकर यह कह दिया कि यह मेरी पत्नी नहीं है तो जब तक वह पत्नी यह साबित न कर दे कि वह उसकी पत्नी है, तब तक धारा 125 के अंतर्गत उसे निर्वाह भत्ता नहीं मिल सकता। केवल इतना तो कोई बात नही है बल्कि इससे भी ज्यादा कष्टकर परिस्थिति यह है कि यदि साथ रहने वाले मियां-बीबी जिसको सारा समाज जानता है कि पिछले 10 साल, 15 साल, 20 से यह दोनों पति-पत्नी की तरह रह रहे है तथा कुछ लेने को लेकर और कुछ देने को लेकर के और कुछ दहेज लेने के ल इए अगर उस औरत की अस्वाभाविक न मृत्यु हो गई तो अदालत के अंदर 304-बी के अपराध को प्रमाणित करने के लिए सबसे पहले यह प्रमाणित करना पड़ेगा क वह उसकी पत्नी है, वह संसार में नहीं है उसकी अप्राकृतिक मृत्यु हो गई है और इसलिए अब मौखिक रूप से कैसे प्रमाणित किया जाए कि वह पत्नी है। इसलिए औरल एविडेंस में कई बार एप्रिसिएशन आफ एविडेंस में जो विधी के विशेसषज्ञ लोग है जिसका इंटरप्रिटेशन इधर भी हो सकता है और इधर भी हो सकता है और वकीओं के क्रोस एक्जामिनेशन के अंदर मै यह अह सकता हूं कि अगर 50 जने आकर यह कह दें कि यह मकान के अंदर पति-पत्नी की तरह साथ रहते थे यह मैं और जब तक यह साबित न करें कि इनके फेरे मैंने अपनी आंखो से देखा, सतपदी में भी सम्मिलित हुआ, इनकी आर्यसमाज की, पद्धति में जब शादी पूर्ण हुई मैं मौजूद था, जब तक कोई प्राईमरी एविडेंस न आ जाए तब तक उनको हियर से एविडेंस कहकर, सुनी-सुनाई साक्ष्य मान करके कि साबित है, साथ रह रहे है परन्तु इनकी शादी होते हुए अपनी आंखों से आपने नहीं देखी इसलिए यह धारा-61 एविडेंस एक्ट के तहत हिट हो गई और इसलिए आपकी एविडेंस ग्राहय नहीं है; भले ही आपने उनको 25 साल से साथ रहते हुए देखा है और इसलिए उसके बाद हुई पैचीदगियां आने से धारा-498ए भारतीय दंड संहिता मेम मुल्जिम बरी होता है। धारा-304 बी में जहां अन-नेच्युरल डैथ हो जाए वहां अगर वाईफ प्रमाणित नहीं है तो वह बरी इस आधार पर हो जाएगा वरना फिर सामान्य कानून होगा, टार्चर के लिए 323, 324 जो कि आई.पी.सी. की धारा उस पर लागू हो जाए। परन्तु उससे आजीवन कारावास की सजा वाले इस प्रवाधान से बचने के लिए एक इसमें रास्ता बचता है, और इसलिए आवश्यक है कि शादी कैसे प्रमाणित हो, केवल यहीं तक काम चलता तो कोई दिक्कत की बात नहीं, एक बहुत बडी दिक्कत महोदया, मैं आपके सामने निवेदन करना चाहता हूं कि उन बच्चों का क्या कसूर है जो पैदा होते है। किसी एक श्रीमान ने किसी महिला के साथ अपनी शादी, करली, संविदा करली, साथ रहना प्रारम्भ कर दिया। लेजिटिमेट, इललेजिटिमेट जो कुछ है वह दोनों जानते है। उन दोनों के साथ रहने के कारण बच्चा पैदा हो गया तो, वह बच्चा अगर पूछता है कि मेरा क्या कसूर है । वह इललेजिटिमेट चाइल्ड है। वह जो बच्चा है वह कैसे प्रमाणित करे कि मै जिस आदमी के कारण जो मेरा पिता है, जो मेरी मां है इसलिए मै उनकी सम्पत्ति में बराबर का भागीदार बनता हूं मेरा कोई कसूर नहीं है । इसलिए हजारों, लाखों कैसेज इस प्रकार के मिल जाएंगे जो इस एविडेंस के अभाव में कि वह यह प्रमाणित करने के अंदर असफल हो गया कि उसकी मां और उसके पिता जिसको वह कह करके आ रहा है वह दिनों वेलिडली मैरिड थे, वह उसकी पत्नी थी यह प्रमाणित नहीं कर सका और इसलिए वह बेचारा पुत्र कहलाने के बाद भी उस की जिस प्रकार कि हमारी सामाजिक व्यवस्थाएं है उससे वंचित होने की स्थिति में आते है। इसलिए भी एक प्रंमाण के नाते इस रजिस्ट्रेशन की बात कही गई है। मै एक

निवेदन और करना चाहता हूं और मैं निवेदन यह करना चाहता हूं कि अब तो स्थिति यह है कि चाहे हिन्दू मैरिज एक्ट की धारा-24 में आ जाए, चाहे धारा-25 परामानेंट एलिमनी के नाते आ जाए वहां पर जाते ही अगर पहले एप्लीकेशन लगी, हालंकि माननीय सर्वोच्च न्यायालय और उच्च न्यायालय ने आजकल यह कह दिया है कि यह बाद में डिसाइड होता रहेगा कि वह वेलिडली मेरिड है या नही, अगर हिन्दु मैरिज एक्ट में कोई पिटीशन चल रही है तो आप इसको मेंटीनेंस दे दीजिए परन्तु यह अनेक बार इस देश के सर्वोच्च न्यायालय ने यह कह दिया कि अगर वाईफ नहीं है तो फिर उसको बाकी जितने वैधानिक अधिकार है उससे वंचित होना पड़ेगा । इसलिए मेरा एक निवेदन करना है कि मार्गबंधु जी जो लेकर आए है इस कानूनी प्रावधान के अंदर इन्होंने इसको मेंन्डेटरी बनाने की कोशिश की है । प्रावधान यह पहले भी है, हर स्टेट में हर जिले के अंदर एक रजिस्ट्रार बने हुए है । वहां जाकर किसी भी शादी का रजिस्ट्रेशन हो सकता है परन्तु वह भी डिस्किएशनरी है । इसलिए शादी तो शादी के तरीके से ही होगी, रजिस्टर के अंदर दस्तख्त हो जाने से वह शादी नहीं कहलाएगी । परन्तु शादी हो गई है उसके प्रमाण है यह और इस नाते इस मेंडेटरी प्रोविजन के अंदर मेरा ऐसा मानना है की ऐसी बहुत सी जो कठीनाईयां उत्पन्न हो रही है उन कठिनाईयां से बचने के लिए आवश्यक रूप से इसको हिन्दू मेरिज एक्ट में अमेंडमेंट करने से मेरा ऐस मानना है कि अनेक कानूनी पेचीदगियों से बचा जा सकेगा । और जो लोग बाहर रहते है, जिन्हें दूसरों के कर्मो को भुगतान पड़ता है, वे कम से कम उनको भुगतने से बच जांएगे और उनको लीगली कुछ न कुछ प्राप्त करने के नाते, अपना स्टेटस प्राप्त करने के नाते, इसमें सहूलियत होगी और इसलिए उस रजिस्ट्रेशन के तहत उसमें भी कुछ प्रीकॉशन्स लेने चाहिए, उसमें मेरा सवाल है कि उसमें कुछ अमेंडमेंट होना चाहिए । केवल मात्र दो लड़का-लड़की चले गए और जाकर वहां रजिस्ट्रेशन करा लिया, वह भी नही है । हमारे यहां आजकल यह भी देखने में आया है कि दो कॉलेज से निकलने वाले लड़का-लड़की कहीं गए, सात दिन जाकर आए और आ कर जब बाप ने रिपोर्ट दर्ज कर दी तो उन्होनें कहा कि हम तो शादी कर आए है । मेरा निवेदन है कि रजिस्ट्रेशन होने मात्र से कोई प्रमाण नहीं बल्कि शादी प्रमाणित करने के बाद ही वह रजिस्ट्रेशन हो, ऐसीइ संतुष्टि का कोई कारण होना चाहिए वरना उनमें से अनेक तरह के दुरूपयोग होने की भी संभावना है । अनेक प्रकार के नए काम शुरू हो जाएंगे । उसमें फदर कॉम्प्लिकेशन्स आ सकती है इसलिए मेरा मानना है कि लॉमिनिस्ट्री इसको थॉरोली एक्जामिन कर ले और थोरोली एक्ज़ामिन करने के बाद जो मार्गबंधु जी ने बहुत महत्वपूर्ण सुझाव दिया है, उसके अनुरूप अमेंडमेंट लेकर आएं ताकि जो आदेशात्कक रूप मेम अमेंडमेंट हो रहा है, उसका दूरूपयोग भी न हो और जो अनेक कठीनाइयों को अनके वर्षो से भुगत रहे है, उनको मुक्ति मिल सके । बहुत-बहुत धन्यवाद ।

उपसभाध्यक्ष (कुमारी सरोज खापार्डे): धन्यवाद लखावत जी । श्री रंगनाथ मिश्र, बोलिए ।

SHRI RANGANATH MISRA (Orissa) : Madam Vice-Chairman, I am thankful to you for giving me an opportunity to speek on a subject which has social ethos and is matter required to be examined from various angles. We have, at the moment, in currency, the special Marriage Act, where under even Hindus can get their marriages registered, and the application of the Special Marriages Act makes the registration compulsory. According to the Hindus, marriage is a sacrament and the philosophy that we have developed in regard to a man and woman uniting for life has not only the Pro-creation aspect for consideration, it too has several social and religious aspects. The bond of marriage that is created on account of man and woman living together and the consequences thereof, are really tremendous.

I don't agree that we should make the institution of marriage a contract which can be terminated at the pleasure of the partners and reduce the level of the relationship to something physical and worldly. As it is, the problems in relation to man and woman have been increasing in the society and if we make it a little more loose, probably the problems would be all the more. I agree that registration, even under the Hindu Marriage Act, may be allowed. There is no problem and where there is registration, it can be relied upon as evidence. I do not dispute it. But the question is : "Should it be made compulsory?" Then the other question is : "Should it be the only mode of proof of marriage. I would agree with my colleague who spoke just now that if you allow this to be done, there will be further problems in the society. A lot of young boys and girls who develop love temporarily, come together, go to the registration office, get their marriages registered and come back saying that they are man and wife. Parents would not know, relations would not be aware of the past and such a marriage may break within a couple of

weeks or so it will not last more than that. Then the society will have problems. There have been many marriages of this type in recent times and litigations have been mounting. The best way would be probably to allow the provisions in the Hindu Marriage Act to continue and marriage should be in accordance with the traditional process, as prescribed, according to the customs of the families, according to the customs prevailing in society, and in addition thereto, parties may be allowed the liberty of getting the marriage registered. If it is registered, the onus may shift to the other side. Supposing there is registration and a dispute is raised, the wife can come forward to say that this marriage is registered and then the burden would be on the husband or the person disputing the marriage to establish that they did not have the normal rituals of marriage performed and no valid marriage has taken plan.

The wife will be in a better position when she relies upon the registration and the burden shifts to the disputing party. That much can be done. Assessment in society should be allowed to be taken up to find out whether we have reached a level where this is possible. This is a large country and the Registrar or Marriages would not be available to register every marriage. To put this burden on a couple who, as it is, finds it very difficult to meet the expenses of marriage, to have an additional expense of marriage to come to the town where the office of the Registrar of Marriage is located, to give notice and to engage a lawyer are hardships difficult to meet. Therefore, my suggestions is that for the time being, we make it optional and allow the wife to have the benefit of registration and leave it as that.

Then to standardise by requiring maintenance of a national register, as was suggested by Dr. Singhvi, may be difficult. Laws are different. We have a Parsi Marriage Act, we too have a Muslim Marriage Act and we have a Christian Marriage Act. Probably, an attempt to standardise that, and also to touch their laws, it will be difficult to handle the same because the Registrar of Marriages under the Muslim Marriage Act is not our Registrar. He is a Special Officer as is known to that law.

Therefore, standardisation will create problems immediately and the repercussions will be very long-drawn we should not get into it. I, therefore, suggest and, in my opinion, it would be proper, to our sacramental process and allow registration to process to evidence the marriage. But whenever it is allowed or done, the burden may be on the person who is disputing it. We have similar provisions in many other laws and, therefore, that would be more convenient to be adopted. For the time being, I think, that should not be done. The Law Commission may be asked to examine, but this view may not be disturbed for some time till people get acclimatised or accustomed to making every arranged marriage registrable.

श्री संघ प्रिय गौतम (उत्तर प्रदेश)**:** उपसभाध्यक्ष महोदया, इस विषय पर न्यायमूर्ति, विधिवेत्ता और अधिवक्ताओं ने अपने विचार व्यक्त किये है । यह विषय बड़ा छोटा है, सीमित है-हिन्दू विवाह कानून हिन्दू विवाह और विवाह विच्छेदन तक सीमित है लेकिन यह कानून बना क्यों, इस कानून की विशेषता क्या थी और श्री मार्गबंधु जी का आशय क्या था, मैं उसे समझाने की कोशिश करूंगा । उपसभाध्यक्ष महोदया, आज़ादी मिलने से पहले भी- और मैं समझता हूं कि जब से समाज में सभ्यता आयी होगी, तब से विवाह और विवाह विच्छेदन की प्रक्रिया प्रारभ हुई होगी लेकिन सामाजिक नियमों के कारण कोई लिखित कानून नहीं रहा होगा । किन्तु उस प्रक्रिया में कुछ दोष थे, एक का उल्लेख मार्गबंधु जी ने किया कि एक व्यक्ति कई विवाह कर लेता था । किन्तु एक और प्रक्रिया में दोष था कि कई-कई बार विवाह करके कई-कई बार विवाह विच्छेदन भी होते थे और इन विच्छेदित पति-पत्नियों से कई संताने पैदा होती थी । इसके अतिरिक्त नाबलिगों के भी विवाह होते थे । इस कानून की विशेषता यह हुई कि एक तो अगर पत्नी मौजूद है तो पति दूसराअ विवाह नहीं करेगा और अगर पति मौजूद है तो पत्नी दूसरा विवाह नहीं करेगी तो इस कानून के जरिए एक तो यह रोक लग गयी । दूसरे यह रोक लगी कि पुरूष कम से कम 21 वर्ष का हो और स्त्री कम से कम 18 वर्ष की हो तब ही विवाह होगा, इससे नीचे विवाह नहीं होगा । इसका सीधा अर्थ है कि दोनों बालिग है, दोनो की बुद्धि विकसित हो गयी है, अच्छे बुरे को समझते है और इसका क्या परिणाम होगा, यह भी समझते है तो यह दो विशेष संशोधन लेकर यह कानून बना । बाकी तो कुछ प्रक्रियाएं कुछ संबंधी है कै उनमें विवाह नहीं होंगे, वही इसमें है । इस कानून की एक और विशेषताए यह है कि पहले सजातीय विवाह होते थे लेकिन शिक्षा के प्रादुर्भाव के साथ अन्तरातीय विवाह होने लगे । दुर्भाग्य से अन्तरजातिय

विवाह मां-बाप की स्वीकृति से नहीं होते है।...

श्री शत्रुघ्न सिन्हा: आपका विवाह कैसा था ?

श्री संघ प्रिय गौतम: मेरा तो स्वीकृति से था मेरा तो अन्तरजातीय विवाह था, लेकिन स्वीकृति से था मै तो बहुत एडवांस हूं, बहुत पुराने जमाने का भी हूं। मै जब बोलता हूं तो लोग हंसते बहुत है। I never prepare notes. I never go through the papers. I am speaking simply after hearing my friends.

मै यह अर्ज़ कर रहा था कि अन्तरजतीय विवाह होने लगे। अन्तरजातीय विवाह लड़का और लड़की की स्वीकृति से होते है और समान परिस्थिति में होते है लेकिन उनके मां-बाप जातिगत व्यवस्था के कारण उनको मान्यता नहीं देते है। इससे बहुत से लोग पीडित रहे है और आज भी है। इसलिए इस कानून ने इस अन्तरजातिय विवाह को प्रोत्साहन, दिया और जातीय व्यवस्था को ठीक करने के लिए, सामाजिक समरसता, जात-पांत, ऊंच –नीच और छूआछूर को खत्म करने के लिए अन्तरजातीय विवाह पद्धति भी एक सहायक पद्धति है। यह भी एक प्रक्रिया है और आज इसकी आवश्यकता है। यहां तक इस संशोधन का प्रश्न है, यह कोई अपने आप में अंतिम प्रमाणित विवाह का बिंदु नहीं है। यह भी उन प्रमाणों के साथ एक प्रमाण है कि यहां प्रक्रियाएं होगी वहां पर यह पंजीकरण भी होगा। यह एक प्रमाण का अंग है और यह अपने आप में अंतिम नहीं है। जैसा मिश्रा जी ने कहा कि अभी और कुछ संसोधनों की आवश्यकता है। आपने इसमें एक तो एप्लेप्सी का उल्लेख किया। अगर मिर्गी आती है तो यह तो इलाज लायक बीमारी है इसलिए यह इसमें नही रखनी चाहिए। मैं इसको स्वीकार नहीं करता हूं। बहुत से केसेज में विवाह होते समय लडके को मिर्गी आ गई और लड़की ने उसी समय उससे शादी करने से मना कर दिया या शादी नहीं की। ऐसा आज भी हो रहा है। इसलिए यह व्यवस्था अभी रहनी चाहिए।

दूसरी बात आपने कही कि रेजिस्ट्रेशन उन्हीं विवाहों का ही हो जो वैद्य हो। यह कैसे पहले पता लग जाएगा कि यह विवाह वैद्य है, यह क्या कोर्ट से प्रमाणित है, इसके लिए जो धारा 5 में प्रदत्त प्रावधान है वह काफी है, उनका अनुपालन हो इसलिए यह पंजीकरण होना चाहिए।

तीसरे इस पंजीकरण का एक लाभ और है भले ही वह कम हो। आप जानते है कि हर सरकार को राजस्व की जरूरत है और जब पंजीकरण होगा तो उस पर टिकट लगेगा और वह टिकट सरकार का होता है इसलिए वह पैसा सरकार के पास जाएगा। हर सरकार घाटे में चल रही है और हर सरकार विदेशियों की ओर देख रही है, सब लोग वहां जा रहे है इसलिए राजस्व भी सरकार को मिलना चाहिए। इसलिए मै इसका समर्थन करता हूं।

SHRI H.K. JAVARE GOWDA (Karnataka): Madam, Shri Margabandu has moved an amendment in the Hindu Marriage Act seeking compulsory registration of marriages. Some senior Members have expressed their views. Justice Ranganath Misra has also proposed that the rites must be performed properly and registration should be done afterwards. It appears that this amendment has been moved by Shri Margabandu after seeing the changes in the society in the sense that the Hindus say that marriage is sacred, the Muslims say that marriage is a contract, the Christians also say that marriage is sacred. In my view, marriage cannot be defined in such a way because it attaches so much of divinity and importance to living happily till death. The composition of the society is like this. It consists of attachment, responsibility, care of children and elders and other things. The society is changing now. Why is a law needed for compulsory registration of marriages? In the age of globalisation and modernisation, attachment is coming down. Its main cause is desertion of women, negligence of children and carelessness.

The second aspect is, you have to go to a court of law to get relief under the law. This society is taking the'defence. That is the point which needs to be considered. What is the defence? If the matter is taken to a court of law, they would say that there was no marraige at all. Their second objection would be, even if the marriage took place, it was not in accordance with the law, and therefore, we are not entitled to pay the compensation or own the responsibility. These are the two important aspects. It is the society which has to look into the benefits and make a legislation for the welfare of women. A legislation is required for compulsory registration of marriages because 70 to 80 per cent of the people in rural areas are not following *saptapadi* or other traditions which should be followed. But still marriages are taking place. Under these circumstances, an amendment is sought in the Hindu Marriage Act. But in the interest of the whole society, irrespective of caste and religion, registration of all the marriages must be made compulsory.

1 would suggest that one more clause should be introduced here. Whenever any marriage takes place, two persons of that locality should be asked to put their signatures at the time of registration because even after registration some problems can arise. Therefore, two persons of that locality where the marriage takes place, must be signatory to the registration. Thank you.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND MINISTER OF SURFACE TRANSPORT (SHRI M. THAMBI DURAI): Madam, my colleague, Shri R. Margabandu, has moved a Bill for amending Section 8 of the Hindu Marriage Act, 1955, so as to make a provision for cimpulsory registration of marriages which will prove that such marriages have been performed lawfully.

I would like to appreciate his views and the interest that he has shown to bring such a Bill. Some of the hon. Members have expressed their views about how marriages should be performed in our country.

The institution of marriage is a sacred one, not only in the Hindu religion but in other religions also because man and woman have to live together and they have certain social obligations also. Nowadays, so many problems are being faced in marriages. To put an end to these, he has suggested this kind of registration. Some hon. Members felt that there are lengthy procedures or sacred ceremonies of different types in different parts of the country. In various religions, there are different ways of conducting marriages. But the basic concept is that the society wants men and women to lead to happy life and that the children born to them should be protected. That is the basic concept of marriage. In olden days, we had our own different ways and systems of getting married. Afterwards, when literacy spread, the systems of getting married also got changed. In the same way, the hon. Members want that the marriage should now be compulsarily registered. Our former Chief Justice mentioned that a lot of problems were being faced in registering this kind of marriages. Personally, I feel that Shri R. Margabandu has made good suggestions. As we know, previously people did not get their land registered and whenever a succession took place or whenever there was a partition of land within the family, it was done orally. There were no registration documents. But in the due course of time, we started the registration of property. So, registration of property is not a problem now. All the facilities are available now. In case of marriage, when registration is there in other religions, it can be done in our religion also. There is nothing wrong in that. The Muslims also maintain some kind of records of marriages. Of course, those records are sometimes legally not accepted. But they do keep those records for evidence, etc. Our hon. Member was suggesting about remote villages. There is no problem. There are facilities available in nearby towns and people can go there are it can be done. But there are certain other parts where people are still suffering for want of these facilities for registration of these things. That is why some apprehensions were also expressed by various committees constituted by Parliament. When those committees gave their reports, they also appreciated the problem and suggested that marriages must be registered. Of course, certain practical difficulties were also highlighted, the question of compulsory registration was examined by the Ministry of HomeAffairs in July, 1980 and again in August, 1983.

The Joint Committee of both Houses of Parliament, when they considered and examined the working of the Dowry Prohibition Act, 1961, submitted a report to the Lok Sabha on 11th August, 1982 and recommended the following things. One is compulsory registration of marriages on the pattern of registration of births and deaths. As I said, the Home Ministry examined this and it also appreciated the intention. But they said that it would be appropriate to enact a legislation for compulsory registration and maintenance of records of marriage in view of the several factors like illiteracy, inaccessibility of many areas, varying marriage practices, personal Laws governing marriages and lack of ostensible benefits from the points of view of people.

5.00 P.M.

The Ministry of Home Affairs had, therefore, felt that the Central legislation on

the Compulsory Marriage Act would not be implemented because of other practical problems. Even though they appreciated, that it has to be done, in our Indian condiions, due to certain inaccessibility and illiteracy they suggested that it cannot be practically done. It may be that a provision for compulsory registration of marriages already exists in the Indian Christian Act, 1872, The Parsi Marriage and Divorce Act, 1938 and the special Marriage Act, 1954. Section 8 of the Hindu Marriage Act, 1955 makes an enabling provision for providing registration of marriages by means of rules to be framed by the State Government. According to that, many States have already made legislations, like the Bombay Registration Marriage act, 1953 which has been enforced in the States of Maharashtra and Gujarat. In Karnataka also, they have made an Act in 1976. Therefore, there is no bar in making such kinds of legislations by the State. Then the Parliament can concur with it. Therefore, though whatever Shri Margabandu said, is a good idea, is a welcome thing, I hope the State Government makes such kinds of legislations and I hope the Centre will accept it and give their concurrence to that. We can do it. Therefore, I request our hon. Member to withdraw this and we will make all efforts to see that such a legislation is enacted and it is approved by our Parliament. From that point of view I request him to withdraw. We will take into consideration all the aspects. With these words, I request the hon. Member to withdraw this Bill.

SHRI R. MARGABANDU: I am very much thankful to the Members who have participated in this discussion specially, Justice Singhvi and Justice Ranganath Misra. They have given their valuable suggestions. So far as Justice Singhvi is concerned, even though there are marriages which are not registered they should also be recognised. I do not say that the marriages which are not registered should be declared as invalid. When a marriage is registered, it provide a proof of marriage. So the other forms of mariage can be considered. He has suggested that it is impossible. My respectful submission is, when registration of birth is made compulsory, when vaccination is made compulsory—if any child is not vaccinated, we are prosecuted in a court of law—Why not this?

If any property transacion which is above Rs. 100 has to be compulsorily registered why not this? So, everywhere, there are sub registrar offices and there is no difficulty in getting these marriages registered. But one point is, if it is not registered, it should be declared as invalid. Justice Ranganath Misra also said that when the students fall in love with each other, they get married and they go to the registration office and after six months or one year, they fall through.

When he is admitting that they get married live together and sometimes later they fell through, what will happen to the fate of the other party? So, in this way, registration is necessary and State Governments must come forward and see that necessary legislation is made to make it cmpulsory. As suggested by Justice Ranganath Misra, it should be thoroughly discussed in the Law Commission and if a concrete proposal comes out, it will be good for everybody. It is not for any section of the people; it is good for the entire nation. In view of the assurance given by the hon. Minister, I withdraw my Bill.

THE VICE-CHAIRMAN MISS SAROJ KHAPARDE: Does the hon. Member have the permission to withdraw the Bill?

HON. MEMBERS: Yes.

The Bill was, by leave, withdrawn.

MESSAGE FROM THE LOK SABHA

The Essential Commodities (Amendment) Bill, 1998

SECRETARY-GENERAL: Madam, I beg to report that the Lok Sabha at its sitting held on the 4th December, 1998, adopted a motion extending the time up to 9th December, 1998, for presentation of the Report of the Joint Committee on the Essential Commodities (Amendment) Bill, 1998.

THE VICE-CHAIRMAN: We will take up Special Mentions now.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RAM NAIK): Madam, I want to make a short statement. I had given notice.